

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: KESSLER

In re Application of:)
)
WINFRIED KESSLER et al.)
)
Int. Appl. No.: PCT/EP2005/050684)
)
Int. Filing Date: February 16, 2005)
)
For: ACTUATOR AND METHOD FOR)
OPERATING AN ACTUATOR)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of the Examiner to the references listed on enclosed form PTO-1449 which were cited in the International Search Report issued by the European Patent Office with regard to the corresponding International patent application No. PCT/EP2005/050684, respectively. Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

Copies of these references are submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

- ☐ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.
- ☒ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.
- ☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.
- ☐ The undersigned submits the following statement requesting consideration of this statement:

The undersigned hereby states:

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;
- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

§1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ The fee of \$180.00 set forth in 1.17(p).
- ☐ The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

In order to satisfy the requirement under 37 C.F.R. §1.98(a)(3) for a concise explanation of the relevance of each item of information, applicant herewith submits a copy of the International Search Report. In addition, applicant notes with respect to any information that is not in English language as follows:

With respect to German Patent No. DE 199 57 814 C2, an English-language Abstract is enclosed. This reference corresponds to U.S. Publication No. 2001/0037907 to Peter et al.

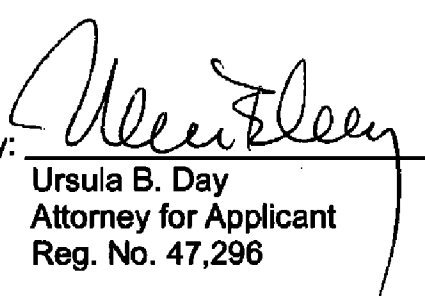
With respect to German Offenlegungsschrift DE 42 25 834 A1, an English-language Abstract is enclosed.

The above-identified application discloses and claims an invention patentable over this prior art.

Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

Respectfully submitted

By:


Ursula B. Day
Attorney for Applicant
Reg. No. 47,296

Date: September 11, 2006
350 Fifth Avenue,
Suite 4714
New York, N.Y. 10118
(212) 244-5500
HMF:af

Form PTO-1449U.S. Department of Commerce
Patent and Trademark Office**INFORMATION DISCLOSURE CITATION**

Attorney's Docket No. KESSLER	Applicant WINFRIED KESSLER et al.	Int. Appl. No. PCT/EP2005/050684
Int. Filing Date February 16, 2005	Group	Examiner

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date, if appropriate
/RL/	2002/0185358	12-12-2002	Zeitler et al.			
/RL/	2001/0037907	11-08-2001	Peter et al.			

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation
/RL/	DE 198 34 868 A1	02-03-2000	Germany			no
/RL/	JP 01 023703 A	01-26-1989	Japan			abstract
/RL/	DE 196 14 654 C	08-21-1997	Germany			no
/RL/	DE 199 57 814 C	06-13-2001	Germany			no
/RL/	DE 42 25 834 A1	02-10-1994	Germany			no

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner: /Rita Leykin/**Date considered:** 06/06/2008

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.